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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/667,852

09/22/2003

Bruce Wallman

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HOFFMAN WARNICK LLC
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EXAMINER

TOLENTINO, RODERICK

ART UNIT

PAPER NUMBER

2439

NOTIFICATION DATE

DELIVERY MODE

06/11/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

Office Action Summary	Application No. 10/667,852	Applicant(s) WALLMAN, BRUCE	
	Examiner Roderick Tolentino	Art Unit 2439	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 3-11 and 13-16 are pending.
2. In view of the Appeal Brief filed on 03/09/2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.
3. To avoid abandonment of the application, appellant must exercise one of the following two options:
4. file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
5. initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.
6. A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Response to Arguments

7. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

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8. Claims 3 and 13 are objected to because of the following informalities:
9. As per claims 3 and 13, claims are dependent on canceled claims, Claim 3 should be dependent on claim 1 and Claim 13 should be dependent on claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically taught or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1 – 4 and 6 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasmazel et al. U.S. Patent No. (6,725,376) in view of Leveridge et al. U.S Patent No. (7,233,997).
12. As per claims 1, Sasmazel teaches a logical security system for processing login and password data received from a client device during a server session in order to authenticate a user (Sasmazel, Col. 8 Lines 21 – 30, user authentication with user id and password) and a physical security system for processing Internet protocol (IP) address information of the client device in order to authenticate the client device for the duration of the server session (Sasmazel, Col. 7 Lines 59 – 67 thru Col. 8 Lines 1 – 8 and Claims 1 and 4, IP Address used as authentication information) but fails to teach the use of an internet server and a memory system for storing a list of each logged in

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user and a reference IP address collected during a login procedure. However, in an analogous art Leveridge teaches internet server (Leveridge, Col. 3 Lines 40 – 47, CMS server is connected via internet) and a memory system for storing a list of each logged in user and a reference IP address collected during a login procedure (Leveridge, Col. 6 Lines 56 – 67, stored list of logged on users and IP Address).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Leveridge's data communication with Sasmazel's method of using electronic ticket and distributed server because it offers the advantage of guaranteeing access to a content server when a user is validated (Leveridge, Col. 1 Lines 62 – 67).

13. As per claim 3, Sasmazel teaches wherein the physical security system compares the IP address of a received message with the reference IP address for the user (Sasmazel, Claim 4, IP Address used as authentication information).

14. As per claim 4, Sasmzael teaches wherein the physical security system terminates the session for the user if the IP address obtained from the received message does not match the reference IP address for the logged in user (Col. 9 Lines 29 – 35, rejection from web server).

15. As per claim 6, Sasmazel teaches the physical security system includes a proxy server module for comparing a portion of an IP address obtained from a received message against a like portion of the reference IP address for the logged in user (Sasmazel, Col. 9 Lines 9 – 15, checks validity of eticket).

16. As per claim 7, Sasmazel teaches storing in a memory system a reference Internet protocol (IP) address and associated login data whenever a new server session is initiated on the server from a client device (Sasmazel, Col. 7 Lines 59 – 67, Obtains IP address of user), receiving a message from a requesting user; and if the login data of the requesting user is currently listed, determining if the IP address from the received message matches the reference IP address associated with the login data of the requesting user (Sasmazel, Col. 7 Lines 59 – 67 thru Col. 8 Lines 1 – 8 and Claims 1 and 4, IP Address used as authentication information) but fails to teach the use of an internet server and obtaining login data accompanying the message, obtaining an IP address from a message header in the message, determining if the login data of the requesting user is currently listed in the memory system as an existing session with the server. However in an analogous art Leveridge teaches internet server (Leveridge, Col. 3 Lines 40 – 47, CMS server is connected via internet) and a obtaining login data accompanying the message, obtaining an IP address from a message header in the message, determining if the login data of the requesting user is currently listed in the memory system as an existing session with the server (Leveridge, Col. 6 Lines 56 – 67, stored list of logged on users and IP Address).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Leveridge's data communication with Sasmazel's method of using electronic ticket and distributed server because it offers the advantage of guaranteeing access to a content server when a user is validated (Leveridge, Col. 1 Lines 62 – 67).

17. As per claim 8, Sasmazel teaches initiating a login procedure if the login data of the requesting user is not currently listed in the memory system (Sasmazel, Col. 8 Lines 21 – 30, initiating by obtaining user authentication with user id and password).

18. As per claim 9, Sasmazel teaches the further step of terminating all server sessions listed in the memory system having the login data of the requesting user if the IP address from the obtained message does not match the reference IP address (Col. 9 Lines 29 – 35, rejection from web server).

19. As per claim 10, Sasmazel teaches examining a portion of the IP address of the requesting user; and determining if the portion matches a like portion of the reference IP address (Sasmazel, Col. 9 Lines 9 – 15, checks validity of eticket).

20. Claims 11 – 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasmazel et al. U.S. Patent No. (6,725,376) in view of Leveridge et al. U.S Patent No. (7,233,997) and Clark et al. U.S. Patent No. (6,442,588).

21. As per claims 11, Sasmazel teaches a logical security system for processing login and password data received from a client device during a server session in order to authenticate a user (Sasmazel, Col. 8 Lines 21 – 30, user authentication with user id and password) and a physical security system for processing Internet protocol (IP) address information of the client device in order to authenticate the client device for the duration of the server session (Sasmazel, Col. 7 Lines 59 – 67 thru Col. 8 Lines 1 – 8 and Claims 1 and 4, IP Address used as authentication information) but fails to teach the use of an internet server, memory system for storing a list of each logged in user

and a reference IP address collected during a login procedure and to authenticate the client device during the server session by comparing the IP address of a received message against the list of IP addresses stored by the server. However, in an analogous art Leveridge teaches internet server (Leveridge, Col. 3 Lines 40 – 47, CMS server is connected via internet) and a memory system for storing a list of each logged in user and a reference IP address collected during a login procedure (Leveridge, Col. 6 Lines 56 – 67, stored list of logged on users and IP Address) and Clark teaches to authenticate the client device during the server session by comparing the IP address of a received message against the list of IP addresses stored by the server (Clark, Claim 1, comparing IP address to list of authenticated IP addresses).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Leveridge's data communication with Sasmazel's method of using electronic ticket and distributed server because it offers the advantage of guaranteeing access to a content server when a user is validated (Leveridge, Col. 1 Lines 62 – 67).

At the time the invention was made, it would have been obvious to use Clark's method of administering a dynamic filtering firewall with Sasmazel's method of using electronic ticket and distributed server because it offers the advantage of preventing unauthorized access (Clark, Col. 1 Lines 6 – 12).

22. As per claim 13, Sasmazel teaches the means for processing IP address information compares a login name and IP address of a received message against the list of logged in users and their respective reference IP addresses (Sasmazel, Col. 9

Lines 9 – 15, checks validity of eticket, which contains user id password and IP address).

23. As per claim 14, Sasmazel teaches the means for processing IP address information terminates the session for the user if the IP address obtained from the received message does not match the reference IP address for the logged in user stored in the list (Col. 9 Lines 29 – 35, rejection from web server).

24. As per claim 16, Sasmazel teaches the means for processing IP address information includes a proxy server module for comparing a portion of an IP address obtained from a received message against a like portion of the reference IP address for the logged in user (Sasmazel, Col. 9 Lines 9 – 15, checks validity of eticket).

25. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasmazel et al. U.S. Patent No. (6,725,376) and Leveridge et al. U.S Patent No. (7,233,997) and in further view of Muratov et al. U.S PG-Publication No. (2003/0097596).

26. As per claim 5, Sasmazel teaches comparing IP addresses thru comparing authentication information transmitted and checking to see if the information including IP addresses match (Sasmazel, Col. 9 Lines 9 – 15, checks validity of eticket), but fails to teach deleting all instances of the logged in user. However, in an analogous art Muratov teaches deleting all instances of the logged in user (Muratov, Paragraph 0015).

At the time the invention was made, it would have been obvious to use Muratov's system for protecting data with Sasmazel's method of using electronic ticket and

distributed server because it offers the advantage of protecting data from unauthorized access (Muratov, Paragraph 0017).

27. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasmazel et al. U.S. Patent No. (6,725,376), Leveridge et al. U.S Patent No. (7,233,997) and Clark et al. U.S. Patent No. (6,442,588), and in further view of Muratov et al. U.S PG-Publication No. (2003/0097596).

28. As per claim 15, Sasmazel teaches comparing IP addresses thru comparing authentication information transmitted and checking to see if the information including IP addresses match (Sasmazel, Col. 9 Lines 9 – 15, checks validity of eticket), but fails to teach deleting all instances of the logged in user. However, in an analogous art Muratov teaches deleting all instances of the logged in user (Muratov, Paragraph 0015).

At the time the invention was made, it would have been obvious to use Muratov's system for protecting data with Sasmazel's method of using electronic ticket and distributed server because it offers the advantage of protecting data from unauthorized access (Muratov, Paragraph 0017).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on Monday - Friday 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roderick Tolentino
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